

12/20/93

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

IN THE MATTER OF)
)
SCA Chemical Services, Inc.) Docket No. II TSCA-PCB-88-0205
and) and II TSCA-PCB-88-0204
CWM Chemical Services, Inc.) (Consolidated)
)
Respondents)

ORDER ON MOTIONS AND OTHER MATTERS


In an order dated October 25, 1993, I stated, among other things, that "I will impose scheduling requirements for limited discovery, if necessary, at a later date following a ruling on any motions for accelerated decision or partial accelerated decision."

By letter dated November 9, 1993, counsel for the Complainant chooses to view this statement as superseding and vacating a prior order issued by Judge Yost which permitted Respondent to engage in post-prehearing exchange discovery. Counsel's reading of the order is incorrect.

The October 25, 1993 order merely reserved judgement on the matter of discovery pending a ruling on any motions for accelerated decision that may be filed.

Accordingly, Complainant's interpretation of the October 25, 1993 order is rejected. Rejected as moot are the additional pleadings which Complainant's letter has spawned: Respondent's November 19, 1993 Motion to Strike, Complainant's December 3, 1993 Opposition to Respondent's Motion to Strike and Respondent's December 15, 1993 Opposition to Complainant's Motion to Vacate Order Granting Discovery.

In the future counsel are to refrain from spurious pleadings.


Jon G. Lotis
Administrative Law Judge

Dated: December 20, 1993
Washington, D.C.

IN THE MATTER OF SCA CHEMICAL SERVICES, INC. AND
CWM CHEMICAL SERVICES, Respondent
Docket No. II TSCA-PCB-88-0205 and
II TSCA-PCB-88-0204 (Consolidated)

CERTIFICATE OF SERVICE

I certify that the foregoing Order on Motions and Other Matters, dated December 20, 1993, was sent in the following manner to the addressees listed below:

Original by Regular Mail to:

Karen Maples
Regional Hearing Clerk
U.S. Environmental Protection
Agency, Region II
26 Federal Plaza
Room 437
New York, NY 10278

**Copy by Facsimile and by
Regular Mail to:**

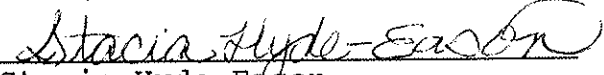
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Dated: December 20, 1993
Washington, D.C.